

---

 STATUTORY INSTRUMENTS
 

---

1968 No. 1657

## MINISTERS OF THE CROWN

## PARLIAMENTARY COMMISSIONER

**The Secretary of State for Foreign and Commonwealth Affairs  
Order 1968**

<i>Made - - -</i>	16th October 1968
<i>Laid before Parliament</i>	16th October 1968
<i>Coming into Operation</i>	17th October 1968

At the Court at Buckingham Palace, the 16th day of October 1968

Present,

The Queen's Most Excellent Majesty in Council

Whereas Her Majesty has been pleased to arrange for the Foreign Office and the Commonwealth Office to be united in a new department to be known as the Foreign and Commonwealth Office and for the new department to be under the charge of one of Her Principal Secretaries of State:

Now, therefore, Her Majesty, in pursuance of section 1 of the Ministers of the Crown (Transfer of Functions) Act 1946(a) and section 4 of the Parliamentary Commissioner Act 1967(b) is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

*Citation, interpretation and commencement*

1.—(1) This Order may be cited as the Secretary of State for Foreign and Commonwealth Affairs Order 1968.

(2) The Interpretation Act 1889(c) applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(3) In this Order "function" includes the function of acting as a trustee, and "instrument", without prejudice to the generality of that expression, includes in particular Orders in Council, orders, rules, regulations, charters, schemes, byelaws, judgments, decrees, awards, covenants, agreements, certificates and any other document.

(4) Any reference in this Order to any enactment or instrument is a reference to it as amended by or under any other enactment or instrument.

(5) This Order shall come into operation on 17th October 1968.

---

(a) 1946 c. 31.

(b) 1967 c. 13.

(c) 1889 c. 63.

*Transfer of functions*

2. There are hereby transferred to the Secretary of State for Foreign and Commonwealth Affairs all functions which by any enactment or instrument in force at the coming into operation of this Order are conferred on the Secretary of State for Foreign Affairs or the Secretary of State for Commonwealth Affairs as such.

*Consequential amendment of enactments and instruments*

3.—(1) Any enactment or instrument passed or made before the coming into operation of this Order shall have effect, so far as may be necessary for the purpose or in consequence of the foregoing provisions of this Order, as if—

(a) for any reference to the Secretary of State for Foreign Affairs or the Secretary of State for Commonwealth Affairs (including any reference which is to be construed as such a reference) there were substituted a reference to the Secretary of State for Foreign and Commonwealth Affairs; and

(b) for any reference to the department of the Secretary of State for Foreign Affairs or the department of the Secretary of State for Commonwealth Affairs or any officer of either of those departments (including any reference which is to be construed as such a reference) there were substituted a reference to the department or an officer of the Secretary of State for Foreign and Commonwealth Affairs.

(2) Without prejudice to the generality of paragraph (1) above, the instruments mentioned in the Schedule to this Order shall be amended as there provided.

*Amendment of Parliamentary Commissioner Act 1967*

4. In Schedule 2 to the Parliamentary Commissioner Act 1967 the entry "Commonwealth Office" shall be omitted and for the entry "Foreign Office" there shall be substituted the entry "Foreign and Commonwealth Office".

*Supplemental*

5.—(1) This Order shall not affect the validity of anything done by or in relation to the Secretary of State for Foreign Affairs or the Secretary of State for Commonwealth Affairs before the coming into operation of this Order; and anything which, at the time of the coming into operation of this Order, is in process of being done by or in relation to that Secretary of State (including in particular any legal proceedings to which he is a party) may, if it relates to any functions transferred by this Order, be continued by or in relation to the Secretary of State for Foreign and Commonwealth Affairs.

(2) Any authority, appointment or direction given or made or other thing whatsoever done, or having effect as if given, made or done, by the Secretary of State for Foreign Affairs or the Secretary of State for Commonwealth Affairs for the purposes of any functions transferred by this Order shall, if in force at the coming into operation of this Order, continue in force and have effect as if similarly given, made or done by the Secretary of State for Foreign and Commonwealth Affairs.

W. G. Agnew.

## SCHEDULE

Article 3(2)

## AMENDMENTS OF INSTRUMENTS

1. The Royal Charter dated 5th June 1916 incorporating the School of Oriental and African Studies.

In Article IV, for the entry relating to the Secretary of State for Foreign Affairs there shall be substituted the following entry—

“ Two Members appointed by Our Principal Secretary of State for Foreign and Commonwealth Affairs.”

and the entry relating to the Secretary of State for Commonwealth Affairs shall be omitted.

2. The Royal Charter dated 1st November 1921 incorporating the Cotton Research Corporation.

The By-Laws set out in Schedule 1 shall be amended as follows—

(a) in By-Law 21, after the words “ appointed as follows, viz.” there shall be inserted the words “ The Principal Secretary of State for Foreign and Commonwealth Affairs may nominate two members ”, after the words “ in addition to the member nominated to represent his Department by each ” there shall be inserted the words “ the Principal Secretary of State for Foreign and Commonwealth Affairs may nominate four members in addition to the members nominated by him to represent his Department ”, and the references to the Secretary of State for Foreign Affairs and the references to the Secretary of State for the Colonies (which have effect as references to the Secretary of State for Commonwealth Affairs) shall be omitted;

(b) in By-Law 27, after the words “ having power of nomination to the Council ” there shall be inserted the words “ and two members of the Council nominated by or representing the Secretary of State for Foreign and Commonwealth Affairs, to be selected by him,”, and the reference to the Secretary of State for Foreign Affairs and the reference to the Secretary of State for the Colonies (which has effect as a reference to the Secretary of State for Commonwealth Affairs) shall be omitted.

3. An order of the Chancery Division of the High Court dated 17th October 1966 approving a scheme for the administration of the funds and property of the English School Cairo and other funds and property.

In clause 7 of the scheme set out in Schedule 1, for paragraph (a) there shall be substituted—

“ (a) Two Trustees nominated by Her Majesty’s Secretary of State for Foreign and Commonwealth Affairs ”

and paragraph (b) shall be omitted.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order transfers to the Secretary of State for Foreign and Commonwealth Affairs functions hitherto exercised by the Secretary of State for Foreign Affairs and the Secretary of State for Commonwealth Affairs respectively under enactments and instruments specifically referring to them, and consequentially amends enactments and instruments affected. It also substitutes the Foreign and Commonwealth Office in the list of departments subject to investigation by the Parliamentary Commissioner for Administration.